

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Y.A., A MINOR CHILD BY  
NEXT FRIEND, IBRAHIM  
ALZANDANI, W.A., A MINOR  
CHILD BY NEXT FRIEND,  
NADHEM ALNAJAR, AND A.M.,  
A MINOR CHILD BY NEXT  
FRIEND, ABRAHAM MUZIB,  
Personally and on behalf of all  
similarly situated persons,

Plaintiffs,

v.

HAMTRAMCK PUBLIC  
SCHOOLS, WAYNE COUNTY  
REGIONAL EDUCATIONAL  
SERVICE AGENCY, AND  
MICHIGAN DEPARTMENT OF  
EDUCATION,

Defendants.

No.: 2:23-cv-12817-DML-DRG

HON. DAVID M. LAWSON

MAG. DAVID R. GRAND

**DEFENDANT MICHIGAN  
DEPARTMENT OF  
EDUCATION'S NOTICE OF  
APPEAL**

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## **DEFENDANT MICHIGAN DEPARTMENT OF EDUCATION'S NOTICE OF APPEAL**

PLEASE TAKE NOTICE that Defendant Michigan Department of Education (MDE) hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Order denying MDE's motion to dismiss (ECF No. 67), entered in this action on September 24, 2024. MDE appeals as of right the Court's Order denying MDE sovereign immunity

under the Eleventh Amendment to Plaintiffs' claims brought under the Americans with Disabilities Act. (See Order, PageID.1352–1354.) *See also* 28 U.S.C. § 1291; *see also Kerchen v. Univ. of Mich.*, 100 F.4th 751, 758 (6th Cir. 2024).

Respectfully submitted,

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Dated: October 2, 2024

### **CERTIFICATE OF SERVICE**

I hereby certify that, on **October 2, 2024**, I electronically filed  
**Defendant Michigan Department of Educations' Notice of**

**Appeal** with the Clerk of the Court using the ECF system which will send notification of such to all represented parties.

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